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Atty. Dkt. No. 047711/0216

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lebel et al.

Title: AMBULATORY MEDICAL APPARATUS AND
METHOD USING A ROBUST
COMMUNICATION PROTOCOL

Appl. No.: 09/768,043

Filing Date: 01/22/2001

Examiner: UNKNOWN

Art Unit: 3763

PETITION FOR REVIVAL OF APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

Commissioner for Patents
Box DAC
Washington, D.C. 20231

Attn: OFFICE OF PETITIONS

Sir:

The above-identified application became abandoned for failure to notify the Office of foreign filing and submit a request to rescind nonpublication.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

(1) Petition fee

A check in the amount of \$1240.00 is enclosed for the amount stated in 37 C.F.R. § 1.17(m) to cover the fee for this petition.

(2) Reply and/or fee

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A. Request to Rescind Previous Nonpublication Request

B. Check in the amounts of \$1240.00 for the Petition to Revive the Unintentionally Abandoned Application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. A duplicate copy of this petition is enclosed.

(3). Terminal disclaimer

No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before June 8, 1995.

(4) Statement that the abandonment was unintentional

The delay in filing the request to rescind and the resulting abandonment of the above-referenced application were unintentional.

(5) Verification

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,

By

Ted R. Bittmaster
Attorney for Applicants
Registration No. 32,933

Date: July 25, 2002

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Enclosures: Check No. 70489 in the amount of \$1240.00 for petition fee.

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